

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

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| In re: | |
| <i>23ANDME HOLDING CO., et al.,</i> | Case No. 25-40976 Chapter 11 (Jointly Administered) |
| Debtors. | |
| PEOPLE OF THE STATE OF CALIFORNIA | Case No. 25cv999 |
| Appellants/Movants | |
| v. | |
| <i>23ANDME HOLDING CO., et al.,</i> | |
| Appellees/Respondents | |

**EMERGENCY MOTION OF CAVEAT ET AL TO CONSOLIDATE CASES ON
APPEAL AND HEARING ON EMERGENCY MOTIONS
FOR STAY PENDING APPEAL**

TO THE HONORABLE JUDGE MATTHEW SCHELP:

COMES NOW, the CENTER FOR APPLIED VALUES AND ETHICS IN ADVANCING TECHNOLOGY (CAVEAT) and individuals listed in the Notices of Appeal referenced herein (“CAVEAT Movants”), and for their Emergency Motion, state:

1. In Debtor, 23andMe Holding Co. et al’s consolidated Bankruptcy Cases in the Bankruptcy Court for the Eastern District of Missouri, Judge Walsh presiding (the “Bankruptcy Case”), Judge Walsh entered an Order approving the sale of Debtors’ assets to TTAM Research

Institute (BR doc 910) and Memorandum Opinion (BR doc 908) (the “Bankruptcy Court Sale Order”).

2. The People of the State of California (“California”) filed an Appeal of the Bankruptcy Court Sale Order, which appeal was assigned to Judge Shelp and bears Case no. 4:25-cv-999-SEP and is pending in this Court (the “California Sale Order Appeal”).

3. The CAVEAT Movants filed a Notice of Appeal of the Bankruptcy Court Sale Order which Appeal was assigned to Judge Pitlyk and assigned Case no. 4:25-cv-01001-SEP (the “CAVEAT Sale Order Appeal”).

4. The California Sale Order Appeal and the CAVEAT Sale Order Appeal are properly consolidated before this Court—where the lower-numbered case resides—in the interest of judicial efficiency and economy. Both appeals involve substantially the same facts and legal issues (aside from the identity of the appellants), including whether the Sale Order should be reversed on appeal.

5. CAVEAT, out of an abundance of caution filed a separate Notice of Appeal of an Order (the “Order Denying CAVEAT Sale Objection”) (BR doc 902) denying CAVEAT’s objections to 23andMe’s proposed sale of assets which appeal was assigned to Judge Pitlyk and assigned case no. 4:25-cv-01002 (the “CAVEAT Second Appeal”).

6. Any issues raised in the CAVEAT Second Appeal are subsumed by the CAVEAT Sale Order of Appeal and therefore, are appropriately consolidated with the CAVEAT Sale Order Appeal and California Sale Order Appeal.

7. California, in the California Sale Order Appeal (this Case) filed The People of the State of California’s Emergency Motion for a Stay Pending Appeal (the “California Stay Motion”) (doc 8).

8. Movants in the CAVEAT Sale Order Appeal (Case no. 4:25-1001-SEP) filed an Emergency Motion for Stay Pending Appeal of Bankruptcy Court Order Approving Sale of Debtors' Assets and Related Order and Sale Transaction Sale Order (the "CAVEAT Stay Motion") (doc 7).

9. The relevant facts and the issues raised in the California Stay Motion and the CAVEAT Stay Motion are largely the same.

10. A hearing on the California Stay Motion is set for July 10 at 2:00p.m.

11. No hearing is set on the CAVEAT Stay Motion.

12. Hearings on the California Stay Motion and CAVEAT Stay Motion are appropriately consolidated in the interest of judicial efficiency.

WHEREFORE the CAVEAT Movants pray that this Court enter an Order: (i) consolidating Cases 25-cv-01001 and 01002 into this Case no. 25-cv-00999; (ii) to the extent necessary, consolidating hearings on the California Stay Motion and CAVEAT Stay Motion; and (iii) granting the CAVEAT Movants such additional relief as is just.

Respectfully submitted,
/s/John Talbot Sant, Jr.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document was filed electronically with the United States District Court and has been served on the parties in interest

via email by the Court's CM/ECF system as listed on the Court's Electronic Mail Notice List on this July 8, 2025.

/s/John Talbot Sant, Jr.